

June 14, 2024

Erica Kellogg, Deputy Clerk
Planning & Development
Municipality of Magnetawan
4304 Highway 520, PO Box 70
Magnetawan, ON POA 1P0

RE: Consent Application
5993B Highway 124 South, Magnetawan (Jolic)
MP&D File: 1406

On behalf of our Client, Dan Jolic, MORGAN Planning & Development Inc. (MP&D) is pleased to submit the enclosed Consent Application to facilitate the creation of one shoreline residential lot fronting onto Ahmic Lake.

The Consent application package includes the following:

1. One (1) digital copy of the Signed and commissioned Consent application form;
2. One (1) digital copy of the Planning Justification Report prepared by MORGAN Planning & Development, dated June 14, 2024;
3. One (1) digital copy of the Septic Confirmation Letter prepared by First Choice Landscaping dated May 24, 2024; and,
4. One (1) digital copy of the Proposed Lot Configuration Sketch prepared by MORGAN Planning & Development dated June 6, 2024.

A cheques in the amount of \$3,200.00 for the consent application fee (\$700.00) and the deposit legal/ planning deposit (2,500) have been included in the application submission to the Municipality.

Should you have any questions pertaining to this submission or should you require any additional information, please do not hesitate to reach out.

Respectfully submitted,
MORGAN Planning & Development Inc.



Jonathan Pauk, HBASc., MSc., MCIP, RPP
Senior Planner

CENTRAL ALMAGUIN PLANNING BOARD

63 Marie Street, P.O. Box 310 South River ON P0A 1X0

Phone: 705-386-2573 Email: admin@centralapb.ca

Christine Hickey, Secretary - Treasurer

SUBMITTING YOUR APPLICATION TO THE CENTRAL ALMAGUIN PLANNING BOARD OFFICE

This application form is to be used if the Central Almaguin Planning Board is the consent granting authority.

For any assistance with the consent process, please refer to the policy documents and the CAPB application guidelines. The documents may be found on the CAPB website - www.centralapb.ca

Submission of your completed and signed Application Form may be done by Canada Post mail, in person (63 Marie Street, Box 310 South River) or by courier.

Submit one (1) single-sided original completed Application Form, with all signatures and Commissioned Declaration. Sketch must show the parcel(s) to be severed and the parcel to be retained, with metric measurements.

- *A complete application MUST include a Council resolution (organized municipalities) supporting the consent in principal and include a list of conditions required, if any*
- *Please provide 10 copies of: the completed application form, council resolution of support, and supporting documents, if any*
- *The fee to accompany the application is \$700.00 per lot created, per lot addition or per right of way.*

Please Note:

Applications received for land in the Unorganized Townships will require a Planner's Review. This review ensures that decisions made are consistent with applicable legislation, the application is presented to the Board after this review has been completed. The cost of this review and any required studies or other consultation will be at the expense of the applicant(s). A \$1,000.00 deposit is required to cover planner fees. Once completed, any amount remaining will be returned to the applicant. If there are monies owing, the applicant will be responsible for the additional fees.

Fee is payable by cheque to Central Almaguin Planning Board or by Etransfers to centralalmaguinplan@hotmail.com. Please ensure that your full name and property address are noted in the message.

CONSENT APPLICATIONS WILL ONLY BE ACCEPTED AND PROCESSED once all applicable information is provided.

A file number will be assigned once your application is deemed complete by CAPB staff. This file number should be quoted in all communication on the Consent application.

Email communication and a letter acknowledging receipt of your fee and advising that the application is complete and ready to process will be sent to you after the application is deemed complete by staff.

A Notice of Meeting advising the date on which the Consent(s) will be heard by the Central Almaguin Planning Board, will be included in this mailing. It is the applicant/agents responsibility to post the Notice of Meeting Posters on the subject site for public view.

CENTRAL ALMAGUIN PLANNING BOARD

63 Marie Street, P.O. Box 310
South River Ontario P0H 1X0
705-386.2573 Email: admin@centralapb.ca
Website: http://capb.ca

AN APPLICATION FOR CONSENT UNDER SECTION 53 OF THE *PLANNING ACT, R.SO. 1990 c.P.13*

FILE # B _____ / _____

PLEASE PRINT OR TYPE AND COMPLETE ALL APPROPRIATE BOXES.

1. APPLICANT INFORMATION

Applicant(s):

Name(s) of Property Owner(s): Daniel Jolic & Susan Jolic

Phone #: Home: _____ Mobile: 416-970-7325 Business: _____

Mailing Address: 5601 Fifth Line, RR#4, Milton ON

Postal Code: L9E 0E8 Email Address: danjolic33@gmail.com, susanj31@rocketmail.com

Agent for the Applicant

The property owner(s) may appoint a person or an agent to act on their behalf for processing this application and attending the meeting at which it will be considered, or a person who is to be contacted about the application for communication. This may be a person or firm acting on behalf of the property owner(s). Owner authorization is required in Section 11 of this form if the applicant is an agent appointed by the owner.

Name of Contact Person/Agent: Morgan Planning & Development (c/o Jonathan Pauk)

Phone #: Home: _____ Mobile: 705-826-2015 Business: 705-327-1873

Address: 98 Tecumseth Street, Orillia ON

Postal Code: L3V 1Y2 Email Address: jpauk@morganplanning.ca

2. LOCATION OF THE SUBJECT LAND (District of Parry Sound)

Tax Roll Number: 494403000504300

Municipality / Unincorporated Township: Croft

Municipal Address (Civic Address): 5993B Highway 124

Legal Description: Concession: 8 & 9 Lot Number: Pt Lot 18 Registered Plan: _____

Lot(s): _____ Reference Plan: 42R-11003 Part(s): 15 & 19

Parcel Number: _____ PIN: 5200860225

IMPORTANT: If there are **existing easements or restrictive covenants** affecting the subject land, provide the legal description and its effect to the subject land. Attach a copy of relevant documentation.

3. PURPOSE OF THE APPLICATION:

3.1 Type and Purpose of proposed transaction(s) that requires the Consent:

Create a new lot (or re-establish an existing parcel) / Lot Addition / Easement

Other: Charge / Release a Mortgage Lease

3.2 Name of party(s), if known, to whom the land or interest in land is to be transferred, leased or charged:
Susan Jolic, Daniel V. Jolic, Daniel B. Jolic, Tina Ciezadlo

3.3 If a lot addition, identify the lands to which the parcel will be added _____

3.4 Mortgage, Charges or other Encumbrances: Name RBC

Mailing Address 136 Broadway, Orangeville ON L9W 1J9

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

(Complete each Section in order that your application can be processed. Incomplete applications may be delayed.

(If 2 new lots are proposed, split the SEVERED section and apply appropriate dimensions and information through Sections 4.1 through

4.1 Description / Size	SEVERED	RETAINED
Frontage (m)	94.3m (approximately)	103m (approximately)
Depth (m)	irregular	irregular
Area (ha)	1.589ha	1.589ha
4.2 Existing Use of Property:	Vacant	Residential
4.3 Existing Building or Structures and date of construction	Vacant	

4.4 Proposed Use of the Severed and Retained Parcels	Residential	Residential
4.5 Road Access: Provincial highway MANDATORY: <i>Provide written comments from MTO North Bay. 705-497-5401</i>		
Municipal road, maintained all year		
Municipal Road, seasonally maintained		
Other Public Road (e.g. Local Roads Board)		
Right of Way / Easement* (IF ACCESS TO THE SUBJECT LAND IS BY PRIVATE ROAD OR OTHER PUBLIC ROAD OR RIGHT OF WAY advise the status of the easement (permanent registered or prescriptive), name who owns the land or road, who is responsible for its maintenance and whether it is seasonal or year round.	Private Road - White's Road (which has access to Hwy124) The road is maintained by the owners of the lands that use White's Road to access their properties.	Private Road - White's Road (which has access to Hwy 124) The road is maintained by the owners of the lands that use White's Road to access their properties.
MNRF Road Allowance [<i>Written report from the MNRF if an MNRF road allowance is used for access to the subject land. North Bay Office: 705-475-5550</i>]		
4.6 Water Access Lots: Describe the parking and docking facilities to be used and the approximate distance of these facilities for the subject land and the nearest public road.		
Not applicable		

4.7 Water Supply	SEVERED	RETAINED
Publicly owned and operated piped water system		
Privately owned and operated individual well		
Privately owned and operated communal well		
Lake or other water body	Anticipated that water will be drawn from Ahmic Lake	Water is drawn from Ahmic Lake
Other means		
Does your property abut a lake?	Yes	Yes

[Is the lake deemed by the Ministry of the Environment Conservation and Parks (MOECP) to be at capacity for phosphorus load ? **1-800-461-6290 for enquiries]	Ahmic Lake is identified as developable with a cautionary approach. Therefore, some development is still permitted on Ahmic Lake and it is not subject to the policies that apply to "at or near capacity" lakes.
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4.8 Sewage Disposal	SEVERED	RETAINED
Publicly owned and operated sanitary sewage system		
Privately owned and operated individual septic tank <i>Attach documentation of the results of the review by the North Bay Mattawa Conservation Authority</i>	Anticipated that a private septic system will be used on the site	Private septic system
Privately owned and operated communal septic tank		
Privy		
Other Means (e.g. Advanced Treatment System) ** (Septic System over 10,000 litres requires Ministry of the Environment Conservation and Parks study and permit. 1-800-461-6290 for enquiries)		

4.9 Other Services (indicate which service(s) are available)	SEVERED	RETAINED
Electricity	Yes	Yes
School Bussing	Yes (at Hwy 124)	Yes (at Hwy 124)
Garbage Collection	No (use of Magnetawan landfill)	No (use of Magnetawan landfill)

4.10 If access to the subject land is by private road or right of way was indicated in section 4.4, indicate who owns the land or the road, who is responsible for its maintenance and whether it is maintained seasonally or all year.

5. LAND USE

5.1 What is the existing Official Plan designation(s)? (Not applicable to lands in unorganized township)

Shoreline

5.2 What is the Zoning, if any, on the subject land? (Not applicable to lands in unorganized township)

Shoreline Residential (RB)

If the subject land covered by a Minister's Zoning Order, what is the Plan and registration number?

N/A

5.3 Are any of the following uses or features on the subject land or within 500 meters of the subject land, unless otherwise specified? Please check the boxes that apply.

Use or Feature	On the Subject Land	Within 500 meters of subject land, unless otherwise specified by the applicable agency, then indicate approximate distance.
An agricultural operation including livestock facility or stockyard <i>(MANDATORY: Attach MDS work sheets from OMAFRA)</i>	No	No
A landfill	No	No
A sewage treatment plant or waste stabilization plant	No	No
A provincially significant wetland <i>(North Bay Mattawa Conservation Authority or the Ministry of the Environment Conservation and Parks)</i>	No	No
A provincially significant wetland within 120 meters of the subject land <i>(North Bay Mattawa Conservation Authority or the Ministry of the Environment Conservation and Parks)</i>	No	No
Flood Plain	No	No
A rehabilitated mine site	No	No
A non-operating mine site within one kilometer of the subject land	No	No
An active mine site	No	No
An industrial or commercial use, and specify the use (eg gravel pit)	No	No
An active railway line	No	No
Utility corridors (Natural Gas / Hydro)	Yes (hydro corridor)	Yes (hydro corridor)
A municipal or federal airport	No	No

6. HISTORY OF SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a Plan of Subdivision or Consent under the Planning Act? NO YES UNKNOWN

If yes, and if known, please provide the application file number and the decision made on the application.

Not applicable

Year the property was created? (if known) _____

6.2 If this application is a re-submission of a previous consent application, what is the original consent application number and how has it been changed from the original application?

Not applicable

7. CURRENT APPLICATION

7.1 Is the subject land currently the subject land of a proposed Official Plan or Official Plan Amendment that has been submitted to the Ministry of Municipal Affairs and Housing for approval?

NO YES UNKNOWN

If yes and if known, specify the file number and status of the application

7.2 Is the subject land the subject of an application for a Zoning By-law Amendment, Minister's Zoning Order amendment, Minor Variance, Consent or approval of a Plan of Subdivision?

NO YES UNKNOWN

If yes and if known, specify the file number and status of the application.

8. SKETCH: The application MUST BE ACCOMPANIED BY A *SKETCH / SITE PLAN showing the following:

- a. The boundaries and dimensions of the subject land proposed to be severed as well as the parcel to be retained, including the location of existing structures and driveway(s), other permanent features.
- b. The boundaries and dimensions of any land owned by the owner of the subject land and that abuts the subject land, the distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge
- c. The location of all land previously severed from the parcel originally acquired by the current owner of the subject land
- d. The approximate location of all natural and artificial features on the subject land and adjacent lands that in the opinion of the applicant may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tank.
- f. The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or right of way
- g. If access to the subject land is by water only, location of the parking and boat docking facilities to be used
- h. The location and nature of any easement affecting the subject land

9. OTHER INFORMATION: Is there any other information that you think may be useful to the Board or other agencies reviewing the application? If so, explain below or attached on a separate page.

Please refer to Planning Justification Report included in the application submission.

10. AFFIDAVIT OR SWORN DECLARATION (all applicant(s))

I, Joshua Morgan OF THE City of Orillia
IN THE DISTRICT OF County of Simcoe MAKE OATH AND SAY THAT THE INFORMATION
CONTAINED IN THIS APPLICATION IS TRUE AND THAT THE INFORMATION CONTAINED IN THE DOCUMENTS
THAT ACCOMPANY THIS APPLICATION IS TRUE.

SWORN OR DECLARED BEFORE ME

AT THE City of Orillia

IN THE County OF Simcoe

THIS 13 DAY OF June, 2024

M Cooper

[Signature]

A COMMISSIONER OF OATHS

Applicant

Michelle Cooper
a Commissioner, etc., Province of Ontario,
for Morgan Planning & Development Inc.
Expires : July 26, 2025

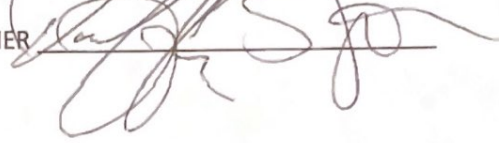
11. AUTHORIZATION OF AGENT (if applicable)

11.1 If the applicant is not the owner of the land subject in this application, written authorization of the property owner authorizing the particular person to act as their agent to make the application and represent them at the meeting when the Board considers this matter, must be submitted with this application form OR the authorization section below be completed.

AUTHORIZATION OF OWNER FOR AGENT TO MAKE THE APPLICATION

I, Dan Jolic and/or Susan Jolic, AM THE OWNER OF THE LAND THAT IS THE SUBJECT OF THIS APPLICATION FOR CONSENT AND HEREBY AUTHORIZE Morgan Planning & Development (c/o Jonathan Pauk)


TO MAKE THIS APPLICATION ON MY BEHALF.

DATED: May 24, 2024, SIGNATURE OF PROPERTY OWNER 

11.2 If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

APPOINTMENT AND AUTHORIZATION OF AN AGENT AND CONSENT TO PROVIDE PERSONAL INFORMATION

I, Dan Jolic and/or Susan Jolic, AM THE OWNER OF THE LAND THAT IS THE SUBJECT OF THIS APPLICATION FOR CONSENT AND FOR THE PURPOSES OF THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT, I AUTHORIZE Morgan Planning & Development (c/o Jonathan Pauk) TO SUBMIT THE INFORMATION REQUIRED FOR THIS PURPOSE.

DATED May 24, 2024, SIGNATURE OF PROPERTY OWNER 

12. CONSENT OF OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

I/WE Dan Jolic and/or Susan Jolic, AM/ARE THE OWNER(S) OF THE LAND THAT IS THE SUBJECT OF THIS CONSENT APPLICATION AND FOR THE PURPOSES OF THE MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PERSONAL PRIVACY ACT, I/WE AUTHORIZE AND CONSENT TO THE USE BY OR THE DISCLOSURE TO ANY PERSON OR PUBLIC BODY OF ANY PERSONAL INFORMATION THAT IS COLLECTED UNDER THE AUTHORITY OF THE PLANNING ACT FOR THE PURPOSES OF PROCESSING THIS APPLICATION.

DATED May 24, 2024, SIGNATURE OF PROPERTY OWNER 



Consent Application Planning Justification Report

<i>To:</i>	Municipality of Magnetawan
<i>Attention:</i>	Erica Kellogg, Deputy Clerk – Planning & Development
<i>From:</i>	Josh Morgan, RPP and Jonathan Pauk, MCIP, RPP
<i>Date:</i>	June 14 2024
<i>Our File No.:</i>	PN 1406
<i>Delivered:</i>	Delivered by Email
<i>Subject:</i>	5993B Highway 124 South, Municipality of Magnetawan

1.0 INTRODUCTION

MORGAN Planning & Development Inc. (herein MP&D) has been retained by Dan Jolic, the owner of the subject property located at 5993B Highway 124 South in the Municipality of Magnetawan to seek approval for the creation of one new lot and one retained lot for the property located at 5993B Highway 124 South through the submission of this application for Provisional Consent. The purpose of the consent application is to create one new lot accessed by White’s Road with a lot area of 1.5 hectares (3.9 acres) and a lot frontage of 94.3 metres. The application would facilitate

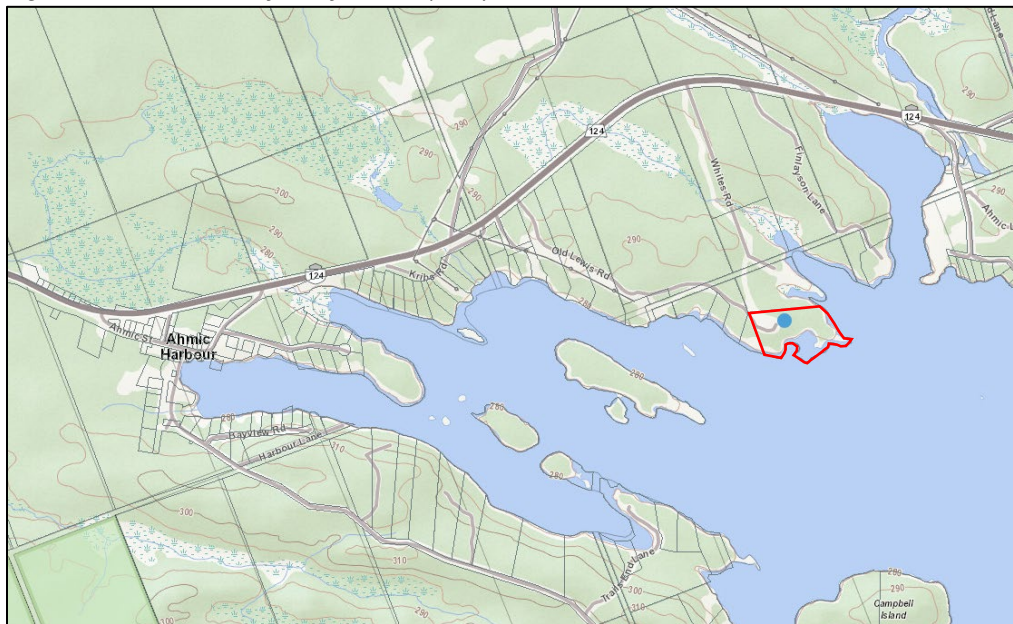
the construction of a new single detached dwelling serviced by individual on-site water and wastewater services.

The subject property is designated “Shoreline” in the Municipality of Magnetawan Official Plan (**Figure 2**) and is zoned “Shoreline Residential (RS)” in accordance with Schedule A-1 in the Municipality’s Zoning By-law.

2.0 SITE DESCRIPTION OF PROPERTY and SURROUNDING LAND USES

The subject property is located generally east of Ahmic Harbour and on the south side of Highway 124 as shown in **Figure 1**.

Figure 1 – Location of Subject Property



The property is accessed by White’s Road, which is a private road extending from Highway 124 South. The subject property has a lot area of 3.1 hectares and has approximately 269 metres of straight-line frontage onto Ahmic Lake.

The subject property is currently being developed with a single detached dwelling and private services. The topography of the site generally slopes towards the lake and the majority of the site is treed.

The surrounding land uses are categorized as follows:

North: Existing rural and shoreline residential properties fronting onto Highway 124 and Ahmic Lake.

East: Existing shoreline residential properties fronting onto Ahmic Lake.

South: Ahmic Lake

West: Existing rural and shoreline residential properties fronting onto Ahmic Lake.

3.0 DESCRIPTION OF PROPOSAL

The purpose and effect of the provisional Consent application is to create one severed lot and one retained lot fronting onto Ahmic Lake. The proposed Severed Lot is to host a future rural residential use. The retained lot will contain the existing single detached dwelling and individual on-site services. The proposed lot configuration sketch is included as **Attachment 1**. A summary of the proposed lot configuration is included in Table 1.

Table 1 – Summary of Proposed Consent Application

Proposed Lot	Lot Area	Lot Frontage	Proposed Use
Retained Lot	1.5 hectares	103 metres	Shoreline Residential (Existing)
Severed Lot	1.5 hectares	94.3 metres	Shoreline Residential (Future)

The proposed Severed and Retained Lots comply with the minimum lot area and lot frontage requirements of the Shoreline Residential (RS) Zone.

4.0 PLANNING ANALYSIS

In formulating the planning rationale for the provisional consent application and the minor variance application, the following policy documents have been reviewed:

- Planning Act;
- Provincial Policy Statement (2020);
- Municipality of Magnetawan Official Plan; and,
- Municipality of Magnetawan Zoning By-law.

The following subsections provide a detail of the relevant policies as it relates to the consent application.

4.1 The Planning Act

The Planning Act establishes the legislative framework for land use planning in Ontario and prescribes how land uses may be controlled. The provisional consent application has been submitted in accordance with Section 53 of the *Planning Act*.

4.2 Provincial Policy Statement (PPS) (2020)

The Provincial Policy Statement (PPS) is a document that provides policy direction on matters of Provincial interest concerning land use planning. Ontario has a policy led planning system and the PPS sets the foundation for regulating the development and use of land in the Province. The PPS policies are set out to provide for appropriate development while also protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. When making land use planning decisions, Planning Authorities must ensure that decisions are consistent with the PPS.

The subject property is located outside of a settlement area and are considered Rural Lands by the PPS. The PPS, specifically Section 1.1.5.2, identifies that residential development, including lot creation that is locally appropriate, and other rural land uses, and agricultural uses are permitted uses on Rural Lands.

The retained lands are proposed to contain the existing residential dwelling, docking facilities and accessory buildings. The existing residential use of the Retained Lot and the use of the proposed Severed Lot for shoreline residential purposes is permitted in accordance with Section 1.1.5.2 of the PPS.

Section 1.1.5.4 of the PPS indicates that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted. The existing shoreline residential use on the retained lot and future shoreline residential use of the severed lot are compatible with the surrounding shoreline residential land uses and will not negatively impact the character of the area. The proposed Severed Lot is to be serviced by individual on-site sewage and water systems which is a typical form of servicing for this area of the Municipality.

Section 1.6.6.4 provides policies that apply to development serviced by individual on-site sewage and water services. It states that individual on-site sewage services and individual on-site water services may be used for a new development provided that site conditions are suitable for the long-term provision of such services with no negative impacts. The proposed Severed Lot is proposed to utilize on-site sewage and water services. A letter has been included in the application submission which has been prepared by First Choice Landscaping that has confirmed that septic system can be accommodated on the proposed Severed Lot.

Section 2 of the PPS focuses on the wise use and management of resources. Section 2.1 of the PPS states that natural heritage features shall be protected for the long term. The subject property does not contain Areas of Natural or Scientific Interest (ANSI), and there are no Provincially Significant Wetlands on or adjacent (within 120 metres) to the subject property.

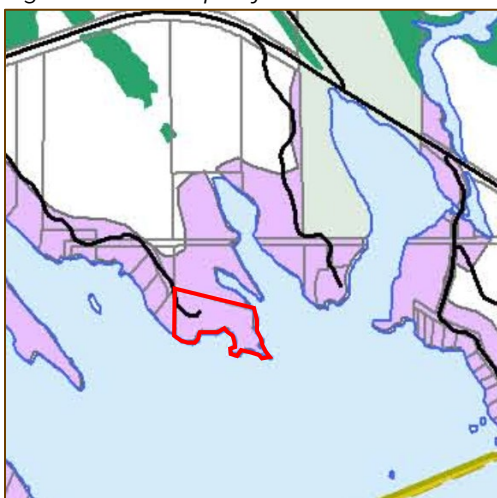
Section 3.0 of the PPS contains policies related to directing development away from natural or human made hazards. In accordance with Section 3.1 the proposed consent application is located outside of hazardous lands and hazardous sites and not affected by a dynamic beach hazard, flooding hazard or erosion hazard. The proposed Severed Lot would not be developed on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations or contamination, as described in Section 3.2 of the PPS. Future development on the proposed Severed Lot is to be setback a minimum of 20 metres from the shoreline in accordance with the Shoreline Residential zoning standards.

It is our professional opinion that the provisional consent application is consistent with the policies of the Provincial Policy Statement.

4.4 Municipality of Magnetawan Official Plan

The Municipality's Official Plan provides direction pertaining to growth and development within Magnetawan. The policies in the Plan address the environment, cultural and built heritage, natural resources and servicing and transportation. Schedule A (Land Use) identifies the subject property as designated Shoreline, as shown in **Figure 2**, Schedule B (Environmental Features) to the Official Plan does not identify any natural heritage features on or adjacent to the subject property.

Figure 2 – Excerpt of Schedule A to the Official Plan



Section 4.3 of the Official Plan contains policies regarding Surface Water Quality and requires septic systems to be located at least 30 metres from a watercourse or waterbody and requires a 20 metre shoreline vegetation buffer area. As shown in the proposed lot configuration sketch included as **Attachment 1** to this Report, the proposed septic is able to be located a minimum of 30 meters from the shoreline and a 20 metre vegetation buffer area has been provided along the entire frontage of the severed lot, all in conformity with Section 4.3.

Section 4.4 of the Official Plan states that new development or site alterations shall have no negative impact on the natural features or ecological functions of significant habitat of endangered or threatened species, other significant wildlife habitat, fish habitat, a provincially significant wetland or other significant natural heritage feature or function. As mentioned above, there are no mapped natural heritage features on or adjacent to the subject property.

Section 5.4 of the Official Plan contains policies pertaining to the Shoreline designation. Further, Section 5.4.1 identifies detached dwellings are a permitted use in the Shoreline designation. The use of the Severed and Retained Lots conform to the permitted uses in the Shoreline designation.

Section 5.4.2 of the Official Plan sets out development standards for properties located in the Shoreline designation. This section requires a minimum lot frontage of 90 meters and a minimum lot area of 1.0 hectare for new lots that are created in the Shoreline designation. The proposed Severed and Retained lots conform to the minimum lot standards set out in Section 5.4.2.

Section 5.4.5 states that, *no development should be permitted which would result in a waterbody being developed to a point of being over capacity as estimated by the Ministry of the Environment or Ministry of Natural Resources or as demonstrated by a Lakeshore Capacity Assessment completed in accordance with the Lakeshore Capacity Assessment Handbook . Any development within 300 metres of a waterbody shall be deemed to have an impact on the waterbody.*

The capacity ratings of lakes are provided in Appendix 1 of the Municipality's Official Plan which identifies that Ahmic Lake is "developable with a cautionary approach". Therefore, development is permitted on Ahmic Lake and it is not subject to the policies that apply to "at or near capacity" lakes.

Section 6.3 of the Official Plan contains policy direction regarding private roads and states,

Existing private roads may continue to be used but shall not be extended.

Council will not permit the creation of new private roads in the Municipality unless those roads are created by plan of condominium.

New development of seasonal residences on existing private roads may be permitted where it is considered infilling between existing residential units. No new development of permanent residences may be permitted on existing private roads.

The subject property is accessed via White’s Road, which is a private road extending from Highway 124. The proposed severed lot would be located between the existing dwelling located at 5339B and the lots to the north, which are all accessed via White’s Road and would not require the extension of White’s Road. Therefore, the consent application conforms to Section 6.3 regarding infilling on private roads.

Section 7.1.1 of the Official Plan contains criteria that are applicable to consent applications. Table 2 below summarizes the consent policies and evaluates the Consent application in relation to the applicable policies.

Table 2 – Official Plan Section 7.1.1

Policy 7.7.1 Severance Criteria	Policy Conformity
a) A registered plan of subdivision is not necessary for the orderly development of the lands.	The consent application is for one severed lot and one retained lot. A plan of subdivision is not required.
b) The lot size and setback requirements will satisfy specific requirements of this Plan and meet the implementing zoning by-law requirements.	The proposed Severed Lot and Retained Lot comply with the minimum lot frontage and area requirements of the Shoreline Residential (RS) Zone.
c) The proposed lot must front on a publicly maintained road or, within the Shoreline designation, between existing lots on an existing private road with a registered right-of-way to a municipally maintained road or be a condominium unit, which may be created on private roads having access to a municipal year round road.	The subject property is located within the Shoreline designation and is proposed to be accessed via White’s Road, which is a private road extending from Highway 124. The severed lot would be located between the existing dwelling located at 5339B and the lots to the north, which are all accessed via White’s Road and would not require the extension of White’s Road. Therefore, the consent application conforms to Section 6.3 and Section 7.1.1 (c) regarding infilling on private roads.
d) Lots for hunt camps, fishing camps, wilderness tourist camps or similar uses may be permitted on unmaintained municipal road allowances or on private right of ways to publicly maintained roads provided that the appropriate agreements are in place to ensure that the Municipality has no liability with respect to the use of these roads.	The proposed lots are not for hunt camp use.
e) The lot must have road access in a location where traffic hazards such as	The Severed Lot does not appear to create a traffic hazard. The retained and severed lots are

<p>obstructions to sight lines, curves or grades are avoided</p>	<p>to be accessed via an existing private road that extends from Highway 124.</p> <p>As part of pre-consultation with the Ministry of Transportation was consulted with and comments were received on April 12, 2024 confirming that an access review for the proposed severance is not required and that the property is beyond MTO's permit control jurisdiction.</p>
<p>f) The lot size, soil and drainage conditions must allow for an adequate building site and to allow for the provision of an adequate means of sewage disposal and water supply, which meets the requirements of the Building Code, the lot must have safe access and a building site that is outside of any flood plain or other hazard land.</p>	<p>The Severed Lot is of sufficient size to accommodate servicing. Please refer to the letter prepared by First Choice Landscaping which confirms a septic can be accommodated on the proposed Severed Lot.</p> <p>The proposed Retained Lot is to be serviced by an existing septic system.</p>
<p>g) Notwithstanding subsection c), lots created for seasonal or recreational purposes may be permitted where the access to the lot is by a navigable waterbody provided that Council is satisfied that there are sufficient facilities for mainland parking and docking.</p>	<p>The policy is not applicable at the proposed Severed and Retained lots are to be accessed via an existing private road.</p>
<p>h) Any lot for permanent residential use shall be located on a year round maintained municipal road or Provincial highway.</p>	<p>The proposed Severed and Retained Lots are accessed via a private road and are to be used for seasonal residential uses.</p>
<p>i) In the Rural designation, new lots created by consent shall be limited to the following:</p> <ul style="list-style-type: none"> i. The Township will permit the creation of up to eight new lots per year. The new lots must comply with the regulations as set out in the implementing Zoning By-law. ii. two lots per original hundred acre lot; iii. one lot for each 50 acre parcel which existed as of the date of approval of this Plan; and 	<p>The policy is not applicable as the subject property is not located in the Rural designation.</p>

iv. infilling between existing residences within 300 metres of each other on the same side of a municipal road or Provincial highway	
j) The creation of any lot will not have the effect of preventing access to or land locking any other parcel of land.	The Severed and Retained Lots will not prevent access to, or land lock any other parcel of land.
k) Any severance proposal on land adjacent to livestock operations shall meet the Minimum Distance Separation Formula I in accordance with the MDS Guidelines and shall demonstrate that the proposed water supply has not been contaminated from agricultural purposes.	There does not appear to be adjacent to livestock operations that would trigger an MDS calculation.

Based on the analysis provided in Table 2 above, it is our professional opinion that the consent application conforms to the general consent criteria contained in Section 7.7.1 of the Municipality's Official Plan.

Based on the analysis provided above, it is our professional opinion that the consent application conforms with the Municipality of Magnetawan Official Plan.

4.5 Municipality of Magnetawan Zoning By-law

The subject property is zoned Shoreline Residential (RS).

The Shoreline Residential (RS) Zone requires a minimum lot area of 1 hectare and a minimum lot frontage of 90 meters in accordance with Section 4.2.2. A summary of the proposed lot configuration is included in Table 3.

Table 3 – Summary of Proposed Lot Configuration

Zoning By-law Provision	Minimum Requirement	Proposed Severed Lot	Proposed Retained Lot
Minimum Lot Area	1 hectare	1.58 hectares	103 metres
Minimum Lot Frontage	90 metres	1.58 hectares	94.3 metres

As noted in Table 3 above, the proposed Severed and Retained Lots comply with the minimum lot area and lot frontage requirements for the RS Zone.

The existing single detached dwelling on the proposed retained lot is proposed to remain and is

recognized as a permitted use and will also contain the existing well and septic system. As a result of the consent application and the location of the proposed lot lines, the existing dwelling on the Retained Lot will remain in full compliance with the Municipality's Zoning By-law.

The uses on the proposed Severed and Retained and lots are permitted within the Shoreline Residential Zone as identified the Municipality's Zoning By-law. The lot configuration and resulting lot standards for the proposed severed lot has been created to facilitate the construction of a new single detached dwelling.

It is our opinion that the consent application complies with the Municipality's Zoning By-law.

5.0 CONCLUSION

The proposed consent application would permit the establishment of a new shoreline residential lot and a retained shoreline residential lot that are both more than 1 hectare in size. The area surrounding the subject lands is comprised of a mix of shoreline and rural lots and that are characteristic of the size of other lots in the area.

Based on a detailed review and analysis of all applicable Provincial and Municipal policy, as well as considering the site location, conditions, context and surrounding uses, it our opinion that the proposed consent application to create one new lot is consistent with the PPS, conforms to the Municipality of Magnetawan Official Pan and represents good land use planning.

Respectfully submitted,
MORGAN Planning & Development Inc.



Jonathan Pauk, HBASc., MSc., MCIP, RPP
Senior Planner

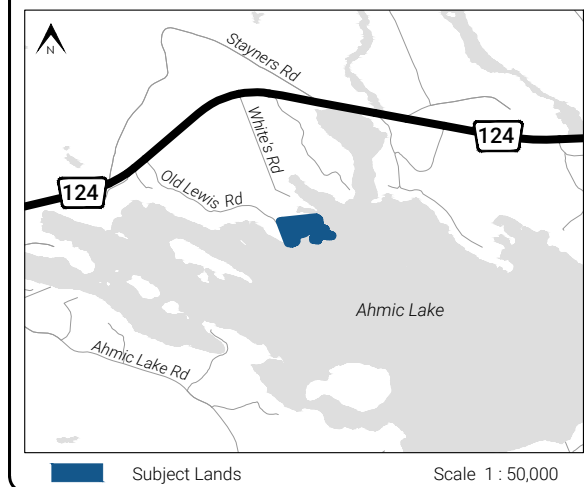


Joshua Morgan, RPP
Principal Planner



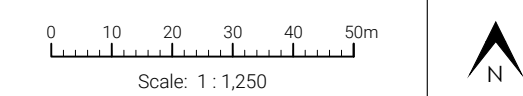
SEVERANCE SKETCH

5993b Hwy 124S
 Part of Lot 18, Concession 8 Southern Division
 Magnetawan Township, District of Parry Sound



- LEGEND**
- Subject Lands
 Lot Area: ±3.179ha (7.86ac)
 - Potential Building Footprint
 Bldg Footprint: ±450m²
 - Potential Septic Area
 Area: ±180m²
 - 20m Setback from Present Controlled High Water Mark

DRAFT



Note: This drawing is for discussion purposes only. Boundary to be verified by an O.L.S.

Source: Sketch for Severance Application, Tulloch Geomatics Inc, OLS, September 2020. Aerial imagery from the MNR interactive map.

Drawn By: A.M. Date: June 6, 2024 File No: 1406



98 Tecumseth Street, Orillia, ON, L3V 1Y2 Phone: (705) 327-1873 jmorgan@morganplanning.ca



May 24th, 2024

To Whom it may concern.

I have visited the property of owners Daniel Jolic and Susan Jolic.
The property is located in Croft Township.
Address: 5993B Highway 124
Concession: 8 & 9
Lot # Pt Lot 18
Roll #: 494403000504300

After inspecting the property, it is more than sufficient to have a septic system installed on this property.

Kelly Hickey
Owner/President

4817 Hwy 124 RR#2
Magnetawan, ON
P0A 1P0

705-387-1850
Cell 705-783-3648

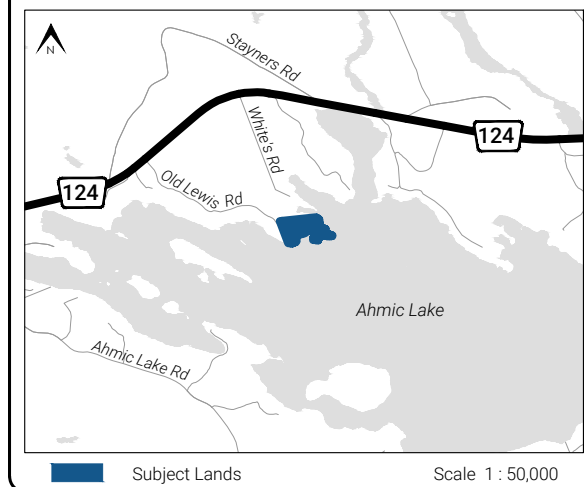
kelly.hickey@sympatico.ca

Company # 35025
Bein # 13166



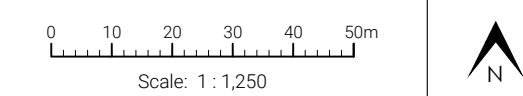
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